

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
CIVIL ACTION NO.: 7:16-CV-16-RJ**

CYBERNET, LLC and ALADDIN
REAL ESTATE, LLC,

Plaintiffs,

v.

JONATHAN DAVID, in his personal capacity
and his official capacity as District Attorney for
the 13th Prosecutorial District of North Carolina;
JAMES MCVICKER, in his personal capacity
and his official capacity as Sheriff of Bladen
County, North Carolina; and TRAVIS DEAYER,
in his personal capacity and his official capacity
as a Deputy Sheriff of Bladen County, North
Carolina,

Defendants:

**DECLARATION OF
McCRAE DOWLESS**

I, McCrae Dowless, declare under penalty of perjury under the laws of the State of North Carolina and the United States that:

1. My name is McCrae Dowless. I am over eighteen years of age and of sound mind, and am fully competent to make this affidavit. I have personal knowledge of the facts stated herein and such facts are true and correct.
2. I am a resident of Bladen County, North Carolina.
3. In the fall of 2014, I worked with Sheriff Jim McVicker and his campaign to elect him as the Sheriff of Bladen County. He was in a competitive election against the sitting Sheriff of Bladen County, Prentis Benston.
4. I was hired by the campaign to provide information to potential voters about Jim

McVicker, to assist with voter registration drives, to encourage voters to get out and vote, and to work polling precincts during the early voting sessions and on election day. I began working for Jim McVicker's campaign in April or May 2014. I hired a team of workers to assist with these efforts and I was responsible for overseeing their work. The team consisted of approximately twenty (20) people, but varied from time to time depending upon the particular tasks being performed.

5. I was responsible for paying each member of my team. I could pay workers in cash up to \$50.00 per day that they worked, and often would pay members of my team in cash when allowed. At all times, I paid members of my team from funds provided to me on behalf of Sheriff McVicker's campaign.

6. In my role with the campaign, I had regular contact with Sheriff McVicker and his campaign manager, Landon Bordeaux. I would update them on the status of our efforts and request funds from the campaign as needed to pay for my efforts and the work of my team.

7. In the third or fourth week of September 2014, Mr. Bordeaux told me about a meeting that had taken place between Jeffrey Smith, Mr. Bordeaux, and Sheriff McVicker at a residence that belonged to Mr. Bordeaux's grandmother. Mr. Bordeaux said that the campaign was seeking financial support from Mr. Smith, a resident of Dublin in Bladen County, who I also personally know. Mr. Bordeaux told me that the campaign did not accept a check from Mr. Smith in the amount of \$4,000, but that he and Mr. Smith were communicating about other ways for Mr. Smith to help out the campaign.

7. A couple of days later after this conversation with Mr. Bordeaux, I contacted Mr. Bordeaux and told him that I needed additional funds at that time to continue my efforts on behalf of the campaign. In response, Mr. Bordeaux said that he would make some phone calls. I

subsequently contacted Mr. Smith. He seemed to be expecting my call and asked me to stop by his house. I went to see Mr. Smith that same day and he gave me \$4,000.00 in cash. I used those funds to pay me and the members of my team who were helping out on Sheriff McVicker's campaign. After receiving these funds from Mr. Smith, Mr. Bordeaux did not follow up with me with any other instructions about getting funds to me in response to my earlier request for additional funds.

8. During the early voting period, Sheriff McVicker's campaign was making a push to get voters out to vote. We were assisting with that effort and with manning the early-voting polling precincts to pass out information regarding Sheriff McVicker. I contacted Mr. Bordeaux at the start of that effort and said that I needed additional funds to conduct this work. Mr. Bordeaux told me that he would make some phone calls. I subsequently spoke to Mr. Smith who again seemed to be expecting my call. I then met him at my office in Dublin. When I met with Mr. Smith, he gave me \$900.00 in cash for use toward the early voting effort on behalf of Sheriff McVicker's campaign. After receiving the funds from Mr. Smith, Mr. Bordeaux did not follow up with me with any other instructions about getting funds to me in response to my earlier request for additional funds.

9. Later during the early voting period, I again needed more funds for my team to continue its work. I contacted Mr. Bordeaux to request additional funds, and again, Mr. Bordeaux said that he would make some phone calls. I then contacted Mr. Smith, who again was expecting my call. I then met with Mr. Smith at my office in Dublin. He gave me \$900.00 in cash for use on Sheriff McVicker's campaign. After receiving the funds from Mr. Smith, Mr. Bordeaux did not follow up with me with any other instructions about getting funds to me in response to my earlier request for additional funds.

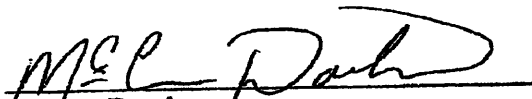
10. One of the polling precincts that was open during the early voting session was located in Dublin, North Carolina. On multiple occasions, I saw Mr. Smith, his wife Holly Smith, and employees of Mr. Smith who were working at that site on behalf of Sheriff McVicker's campaign. They were wearing campaign shirts for Sheriff McVicker.

11. I do not know how Mr. Bordeaux, Sheriff McVicker or his campaign accounted in its campaign records for the cash contributions made by Mr. Smith.

12. Around late September 2014, I overheard Mr. Bordeaux telling Mr. Smith that the sitting sheriff, Prentis Benston, was planning on conducting a raid on Mr. Smith's business in Dublin. I believe that Mr. Smith closed his business that same day. He did not re-open it until after the election.

I, declare under penalty of perjury under the laws of North Carolina and the United States, that the foregoing is true and correct.

Dated this the ____ day of September, 2017.


McCrae Dowless